

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BENIHANA OF TOKYO, INC.)

Plaintiff,)

v.)

Civil Action No. 10-1051 SLR

BENIHANA INC. and NOODLE
TIME, INC.,)

Defendants.)

STIPULATION AND ORDER FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto, through their undersigned counsel, and subject to the approval of the Court, that the time within which Defendants Benihana, Inc. and Noodle Time, Inc. may move, answer or otherwise respond to the amended complaint is extended through and including April 16, 2012. The parties met on March 15, 2012 for settlement negotiations and are meeting again today. The parties are hopeful that the extension of time may permit them to amicably resolve this matter.

/s/ David M. Powlen

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Attorneys for Defendants

Dated: April 2, 2012

SO ORDERED this _____ day of _____, 2012.

United States District Judge